

2008 JUL 23 PM 3: 59

Docket No.: E3331.0525  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Peter R. Horsfall

Application No.: 09/942,426

Confirmation No.: 7416

Filed: August 29, 2001

Art Unit: 3691

For: ELECTRONIC TRADING SYSTEM

Examiner: O. Akintola

**REQUEST FOR REFUND**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

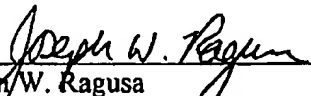
On July 8, 2008 we filed and Information Disclosure Statement and paid, via EFS-Web, a Submission of Information Disclosure Fee of \$180.00. The fee was paid in view of the fact that the office action mailed on March 19, 2008 had been indicated as being "final."

After a telephone discussion with SPE Alex Kalinowski on July 8, 2008, Mr. Kalinowski agreed that the March 19, 2008 office action should not have been indicated as being final. This was confirmed in the Interview Summary forwarded to applicant's representative on July 16, 2008 (copy attached), in which Mr. Kalinowski stated that "the office action mailed on 3/19/2008 is a non-final rejection of the claims." In view of the foregoing, applicant requests that the fee of \$180.00 be refunded.

Applicant hereby requests a refund of \$180.00 in connection with the above-referenced application. It is respectfully requested that the \$180.00 be credited to our USPTO Deposit Account No. 50-2215.

Dated: July 23, 2008

Respectfully submitted,

By   
Joseph W. Ragusa  
Registration No.: 38,586  
DICKSTEIN SHAPIRO LLP  
1177 Avenue of the Americas  
New York, New York 10036-2714  
(212) 277-6500  
Attorney for Applicant

<b>Interview Summary</b>	Application No.	Applicant(s)	
	09/942,426	HORSFALL, PETER R.	
	Examiner	Art Unit	
	ALEXANDER KALINOWSKI	3891	

All participants (applicant, applicant's representative, PTO personnel):

(1) ALEXANDER KALINOWSKI (3) \_\_\_\_\_

(2) Joseph Ragusa (4) \_\_\_\_\_

Date of Interview: 09 July 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference  
 c) ☐ Personal (copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
 If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: N/A.

Identification of prior art discussed: N/A.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Alexander Kalinowski/ SPE  
 Art Unit 3891  
 \_\_\_\_\_  
 Examiner's signature, if required

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

<b>Interview Summary</b>	Application No.	Applicant(s)	
	09/042,428	HORSFALL, PETER R.	
	Examiner	Art Unit	
	ALEXANDER KALINOWSKI	3691	

All participants (applicant, applicant's representative, PTO personnel):

(1) ALEXANDER KALINOWSKI (3) \_\_\_\_\_

(2) Joseph Reguza (4) \_\_\_\_\_

Date of Interview: 09 July 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference  
 c) ☐ Personal (copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
 If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: N/A.

Identification of prior art discussed: N/A.

Agreement with respect to the claims: f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

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/Alexander Kalinowski/ SPE  
 Art Unit 3691

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action. \_\_\_\_\_  
 Examiner's signature, if required

Continuation Sheet (PTOL-413)

Application No. 09/942,426

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussed the status of the office action mailed on 3/19/2008. Applicant filed an after final amendment on 2/20/2008 requesting reconsideration of the final rejection of the claims mailed on 9/20/2007. In response to the after final request for reconsideration, the Examiner sent an Advisory Action mailed on 5/21/2008 that withdrew the Final Rejection of the claims that was mailed on 9/20/2007. Furthermore, the Advisory Action indicated that a new action from the Examiner would be forthcoming. A Final Rejection of the claims was mailed on 3/19/2008. However, upon further review, the Examiner agreed that the action mailed on 3/19/2008 should have been a non-final rejection of the claims. The indication that the rejection of the claims mailed on 3/19/2008 was made in error. Therefore, the Examiner agrees that the office action mailed on 3/19/2008 is a non-final rejection of the claims..

## Electronic Patent Application Fee Transmittal

Application Number:	09942426			
Filing Date:	29-Aug-2001			
Title of Invention:	Electronic trading system			
First Named Inventor/Applicant Name:	Peter R. Horsfall			
Filer:	Joseph W. Ragusa/BrendA BRIDGES			
Attorney Docket Number:	P/692-152			
Filed as Large Entity				
<b>Utility Filing Fees</b>				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Adjustment date: 07/25/2008 HDESTAI  
07/09/2008 INTERSW 00002219 09942426  
01 FC:1806 -180.00 DP

Refund Ref:  
07/25/2008

0030058974

Credit Card Refund Total: \$180.00

Am Exp...: XXXXXXXXXX1001

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
<b>Miscellaneous:</b>				
Submission- Information Disclosure Stmt	1806	1	180	180
<b>Total in USD (\$)</b>				<b>180</b>